

GENERAL PROVISIONS
RELATED TO SERVICES

7-11-1105

EXHIBIT 5
DATE 1/23/07
HB 235

History: En. Sec. 9, Ch. 314, L. 1981.

7-11-310. Judicial review. (1) Judicial review to determine the validity of the procedures used in adopting any service consolidation or transfer may be initiated by petition in district court of 10 or more registered electors of each local government affected by the consolidation or transfer brought within 60 days after the election adopting the service consolidation or transfer. If no petition is filed within that period, compliance with all the procedures required by 7-11-303 through 7-11-310 and the validity of the manner in which the service consolidation or transfer was approved is conclusively presumed.

(2) It is presumed that proper procedure was followed and all procedural requirements were met. The adoption of a service consolidation or transfer may not be considered invalid because of any procedural error or omission unless it is shown that the error or omission materially and substantially affected its adoption.

History: En. Sec. 10, Ch. 314, L. 1981.

Parts 4 through 10 reserved

**Part 11
Multijurisdictional Service Districts**

7-11-1101. Authority to form multijurisdictional service district. Municipalities and counties may form multijurisdictional service districts to provide:

- (1) a higher level of service than is available through the local governments forming such a district; or
- (2) services that are not available through the governments forming such a district.

History: En. Sec. 1, Ch. 425, L. 1985.

7-11-1102. Services that may be provided. (1) A multijurisdictional service district may provide only those services that are authorized to be provided by local governments.

- (2) The services that a multijurisdictional service district may provide are:
 - (a) recreation programs other than park and recreation programs in a county park district established under Title 7, chapter 16, part 24;
 - (b) road, street, and highway maintenance;
 - (c) libraries;
 - (d) jails;
 - (e) dog control programs;
 - (f) ambulance service;
 - (g) dispatch service;
 - (h) protection of human health and the environment, including scenic concerns and recreational activities for areas requiring or involving environmental reclamation;
 - (i) health services and health department functions; and
 - (j) maintenance or provision of any public infrastructure facility, project, or service.

History: En. Sec. 2, Ch. 425, L. 1985; amd. Sec. 8, Ch. 425, L. 1985; amd. Sec. 1, Ch. 193, L. 1991; amd. Sec. 1, Ch. 116, L. 1993; amd. Sec. 1, Ch. 114, L. 1997; amd. Sec. 8, Ch. 459, L. 1997; amd. Sec. 3, Ch. 86, L. 1999.

7-11-1103 and 7-11-1104 reserved.

7-11-1105. Creation of district. (1) A multijurisdictional service district is established by an interlocal agreement among participating jurisdictions, as authorized by an ordinance of each of the jurisdictions, to form the district. An ordinance, for the purposes of this part, includes a resolution of a county not having the power to enact ordinances.

- (2) The authorizing ordinance may be passed by the governing body of the jurisdiction or it may be initiated by a petition signed by 15% of the resident property taxpayers of the area proposed for the district in each jurisdiction.
- (3) Prior to determining the boundary of the district, the governing body or persons preparing a petition shall consult with the county election administrator to prepare a description of the boundary of the proposed district. As far as practical, the boundary shall follow precinct, school district, municipal, and county lines. The boundary description must be mapped and clearly described.

History: En. Sec. 5, Ch. 425, L. 1985.